

E-Filed 11/10/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TAISEI CONSTRUCTION
CORPORATION,

No. C 09-01539 JW (RS)

Plaintiff,
v.

**ORDER GRANTING UNOPPOSED
MOTION TO COMPEL AND
DENYING MOTION FOR
SANCTIONS**

LIBERTY MUTUAL FIRE INSURANCE
COMPANY; and DOES 1-20, inclusive,

Defendants.

LIBERTY MUTUAL FIRE INSURANCE
COMPANY,

Third Party Plaintiff,
v.

SOMPO JAPAN INSURANCE COMPANY
OF AMERICA,

Third Party Defendant.

1 On October 13, 2009, defendant/third party plaintiff Liberty Mutual Fire Insurance Company
2 (“Liberty”) filed a motion to compel initial disclosures from third party defendant Sompo Japan
3 Insurance Company of America (“Sompo”). Contemporaneously, Liberty also filed a corresponding
4 motion for sanctions against Sompo. In accordance with Civil Local Rule 7-1(b), these matters are
5 deemed suitable for disposition without oral argument, and the argument scheduled for November
6 18, 2009, is therefore vacated.

7 Sompo has expressly indicated that it does not oppose Liberty’s motion to compel initial
8 disclosures. That motion is therefore granted, and Sompo is instructed to provide its initial
9 disclosures within five days of the date of this order. As to Liberty’s motion for sanctions, which is
10 opposed by Sompo, the Court has reviewed the parties’ briefing and evidence, and finds that, given
11 the circumstances in this case, a sanctions award is not warranted.

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13 IT IS SO ORDERED.

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15 Dated: 11/9/09



16 RICHARD SEEBORG
17 UNITED STATES MAGISTRATE JUDGE
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